



[91] Attorney Docket No. : BET-105US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Nathan W. Levin, Daniel Schneditz, and Fansan Zhu
Serial No. : 10/089,831
Filed : April 4, 2002
For : METHODS AND APPARATUS FOR MEASURING THE
VOLUME OF FLUID IN THE PERITONEAL CAVITY
Examiner : C. Witczak
Group : 3767

Date of mailing of Notice of Allowance and Fee(s) Due: November 6, 2007

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CERTIFICATE OF MAILING

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2. Check for \$1440.00
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February 5, 2008

2/5/08
Date Signed

Maurice Klee
Maurice M. Klee, Ph.D.



[291] Attorney Docket No. : BET-105US

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicants would like to make of record that their agreement to the amendments to their claims made by the Examiner's Amendment included with the Notice of Allowability is based on: (1) the scope of Claim 12 being unchanged by the reordering of the phrases used in that claim, and (2) Claims 35, 36, 38, and 39 being broadened, rather than narrowed, by the amendments to those claims. Accordingly, no prosecution history estoppel attaches to these changes.

During telephone conversations on October 22, 2007 and October 23, 2007 between Examiner Witczak and the undersigned, during which these amendments (proposed by the examiner) were discussed, the undersigned informed the examiner that applicants did not object to the amendments for these reasons.

Respectfully submitted,

Date: 2/5/08

Maurice M. Klee
Maurice M. Klee, Ph.D.
Reg. No. 30,399
Attorney for Applicant
1951 Burr Street
Fairfield, CT 06824
(203) 255-1400